

**PB# 05-23**

**Sandcastle Homes  
(Sub.)**

**9-1-101**

05-23 Sandcastle Homes Sub.  
River Rd (Coppola) 3 lots

TOWN OF NEW WINDSOR  
PLANNING BOARD  
APPROVED COPY  
DATE: 11/14/07



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

11 August 2008

Town of New Windsor Town Board  
555 Union Avenue  
New Windsor, NY 12553

ATTENTION: GEORGE A. GREEN, TOWN SUPERVISOR

SUBJECT: SANDCASTLE SITE PLAN (River Road)  
RECOMMENDATION FOR BOND REDUCTION  
Planning Board Application 05-24

Dear Supervisor Green:

The subject site plan previously submitted a public improvement cost estimate for public improvements associated with the project. The original approved bond amount was \$ 93,900.00. Since that time, the Developer has caused the completion of all the public work associated with the site plan. Our office has reviewed the work and it is our opinion the work has been completed in an acceptable manner. I have contacted John Egitto of CAMO, and he is in agreement.

The developer has requested that the bond be released in full. It is our opinion that this is an acceptable request. A portion of the water main constructed is within an easement thru private properties, with such easement to the benefit of the Town of New Windsor. The Attorney for the Town should insure that the easements have been properly filed. We recommend the Town accept the water main and appurtenances for dedication at this time. A maintenance bond in the amount of \$9390 with a term of one year should be required concurrent with the above.

If you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,

Mark J. Edsall, P.E.  
Engineer for the Town

cc: Anthony Fayo, Town Highway Superintendent (via email)  
Michael Blythe, Esq., Attorney for the Town (via email)  
John Egitto, CAMO (via email)

**MAIN OFFICE**  
33 AIRPORT CENTER DRIVE  
SUITE 202  
NEW WINDSOR, NEW YORK 12553  
(845) 567-3100  
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**REGIONAL OFFICES**

• 111 WHEATFIELD DRIVE • SUITE 1 • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#883-2007**

11/16/2007

Central Valley Real Estate, Inc.

Received \$ 365.00 for Planning Board Fees, on 11/16/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

P.B. # 05-23 Approval Fee



Map Number 921-07 City 05-23  
Section 9 Block 1 Lot 05 Town 05-24  
Village X new windsor

Title: sandcastle Homes

Dated 11-27-07 Filed 12-4-07

Approved by Genaro Argano

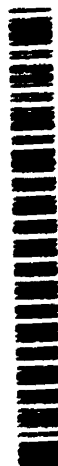
on 11-28-07

Record Owner Carrotopoli, Nicholas J.

DONNA L. BENSON  
Orange County Clerk

TOTAL: \$20,00

RECORDED/FILED ORANGE COUNTY  
BOOK 02007 PAGE 0921  
12/04/2007/ 11:17:30  
FILE NUMBER 2007012958A  
RECEIPT#019252 patti



**RESOLUTION GRANTING APPROVAL  
FOR A THREE LOT COMMERCIAL SUBDIVISION**

*Sandcastle Homes Commercial Subdivision  
PB # 05-23*

**WHEREAS**, an application was made to the Planning Board of the Town of New Windsor for approval of a subdivision by Sandcastle Homes (the "applicant") for a project described as the "Sandcastle Homes Commercial Subdivision";

**WHEREAS**, the subject site consists of 3.23 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 9, block 1, and lot 101 (SBL 9-1-101); and

**WHEREAS**, the action involves a request for subdivision approval for the split of one 3.23 acre parcel into three commercial lots; and

**WHEREAS**, the applicant has submitted a fully executed Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, the Planning Board conducted a coordinated SEQRA review for this project; and

**WHEREAS**, during the course of the Planning Board's review of the Applicant's proposed site plan layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

**WHEREAS**, the Town of New Windsor Planning Board waived the public hearing; and

**WHEREAS**, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on December 5, 2005 recommending local determination; and

**WHEREAS**, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plan consisting of 3 sheets, prepared by Eustance & Horowitz, PC dated May 26, 2005, and last revised on July 2, 2007; and

WHEREAS, the applicant is seeking final subdivision approval for the subdivision plat;

WHEREAS, the Planning Board has heretofore determined that the Proposed Action minimizes or avoids significant environmental impacts and, adopted a Negative Declaration as part of the approval of the subdivision.

NOW, THEREFORE, the Planning Board finds that the applicant has satisfied the requirements of Town Code § 300-86 and hereby grants preliminary and final subdivision plat approval subject to the following terms and conditions:

1. The applicant shall pay all outstanding fees due the Town in connection with this application;
2. The applicant shall make any required revisions to the subdivision to the satisfaction of the Planning Board Engineer and Planning Board Attorney;
3. The applicant shall secure all necessary permits, approvals and authorizations required from any other agency, if required;
4. The applicant shall submit proof of satisfaction of the foregoing conditions and submit a plat for signature within six months of the date of this resolution.

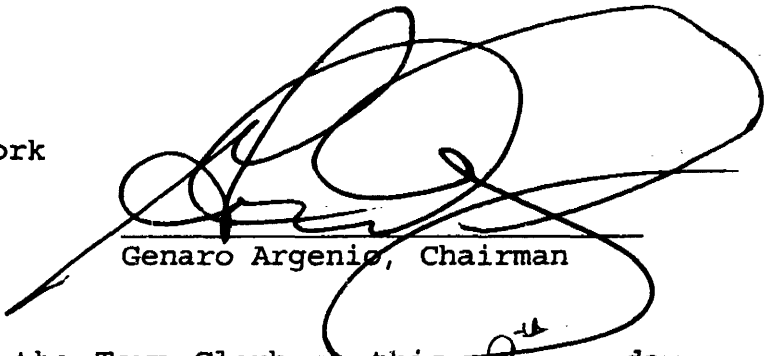
Upon motion made by Member Henry Vanleeuwen, seconded by Member Neil Schlesinger, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	<u>Aye</u>	Nay	Abstain	Absent
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent

Alternate, Henry Schieble

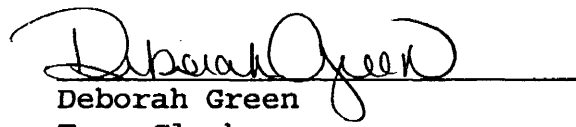
Aye Nay Abstain Absent

Dated: August 8, 2007  
New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 9<sup>th</sup> day  
of August, 2007.



Deborah Green  
Town Clerk

**RESOLUTION ADOPTING A NEGATIVE DECLARATION  
FOR A THREE LOT COMMERCIAL SUBDIVISION APPLICATION**

*Sandcastle Homes Commercial Subdivision  
PB # 05-23*

**WHEREAS**, an application was made to the Planning Board of the Town of New Windsor for approval of a subdivision by Sandcastle Homes (the "applicant") for a project described as the "Sandcastle Homes Commercial Subdivision";

**WHEREAS**, the subject site consists of 3.23 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 9, block 1, and lot 101 (SBL 9-1-101); and

**WHEREAS**, the action involves a request for subdivision approval for the split of one 3.23 acre parcel into three commercial lots; and

**WHEREAS**, the applicant has submitted a fully executed Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, the Planning Board conducted a coordinated SEQRA review for this project; and

**WHEREAS**, the Planning Board declared its intent to become the Lead Agency with respect to the Proposed Action and circulated a Notice of Intent to be Lead Agency to other involved and interested agencies; and

**WHEREAS**, having received no objection to the proposed Lead Agency designation within thirty (30) days after circulation of the Notice of Intent, the Planning Board was automatically designated the Lead Agency for environmental review of the Proposed Action; and]

**WHEREAS**, during the course of the Planning Board's review of the Applicant's proposed subdivision layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

**WHEREAS**, the Town of New Windsor Planning Board waived the public hearing; and

**WHEREAS**, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for

its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on December 5, 2005 recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plan consisting of 3 sheets, prepared by Eustance & Horowitz, PC dated May 26, 2005, and last revised on July 2, 2007; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of the subdivision.

NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for a coordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member Neil Schlesinger, seconded by Member MR. VAN LEEUW, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher

Aye

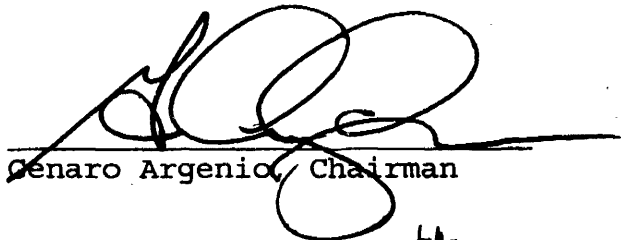
Nay Abstain Absent

Member, Howard Brown	<u>Aye</u>	Nay	Abstain	Absent
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent

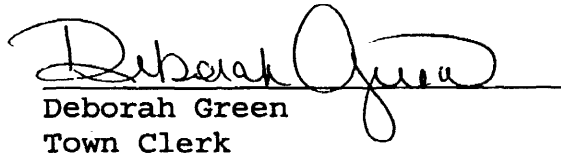
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Alternate, Henry Schieble	Aye	Nay	Abstain	Absent
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Dated: August 8, 2007  
New Windsor, New York

  
 Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 10<sup>th</sup> day  
of August, 2007.

  
 Deborah Green  
 Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD  
COUNTY OF ORANGE**

**NEGATIVE DECLARATION**

*Sandcastle Homes Commercial Subdivision*

*PB # 05-23*

*(S-B-L: 9-1-101)*

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an Uncoordinated review of this Unlisted Action.

Name of Project: Sandcastle Homes Commercial Subdivision

Action Type: Unlisted Action; Coordinated Review

Location: Town of New Windsor, County of Orange

Location: Union Avenue

Tax Map Parcel: Section 9, Block 1, Lot 101

**Summary of Action:**

The action involves a request for a three-lot commercial subdivision approval of a 3.23 acre parcel located in the Town of New Windsor. The parcel is presently vacant and has frontage on Union Avenue.

**Reasons Supporting the Negative Declaration:**

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting subdivision approval to this 3-lot subdivision. With respect to traffic patterns, traffic safety and emergency access, the proposed lots will have access to Union Avenue, which is a state road. Any development to occur on the proposed lots will be subject to site plan review and approval. Specific impacts relating to any proposed use will be appropriately reviewed during the site plan review process. With respect to water and sewer resources, the lots will be served by public water and sewer. The site does not constitute significant habitat area for flora or fauna. The proposed subdivision is considered to comply with all currently existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. Neither solid waste generation, energy consumption, nor public service demands would be significant or excessive for the new lots within this proposed subdivision. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: August 8, 2006

Agency Address: Town of New Windsor Planning Board

Town Hall – 555 Union Avenue

New Windsor, New York 12553

Tel. (845) 563-4615

Contact Person: Genaro Argenio, Planning Board Chairman



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2007

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 5-23

NAME: SANDCASTLE HOMES - RIVER ROAD - SUBDIVISION  
APPLICANT: SANDCASTLE HOMES (CARDOROPOLI)

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/14/2007	PLANS STAMPED	APPROVED
08/08/2007	P.B. APPEARANCE	APPROVED
07/27/2005	P.B. APPEARANCE	LA: WVE PH RETURN . SEND TO DOT AND OC PLANNING - ADDRESS MARK'S COMMENTS

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2007

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 5-23

NAME: SANDCASTLE HOMES - RIVER ROAD - SUBDIVISION  
APPLICANT: SANDCASTLE HOMES (CARDOROPOLI)

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PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2007

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 5-23

NAME: SANDCASTLE HOMES - RIVER ROAD - SUBDIVISION  
APPLICANT: SANDCASTLE HOMES (CARDOROPOLI)

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/14/2007	APPROVAL FEE	CHG	365.00		
11/15/2007	REC.CK. #812	PAID		365.00	
		TOTAL:	365.00	365.00	0.00



## **MEMORANDUM**

TO: Myra Mason, Planning Board Secretary  
FROM: Michael Blythe, Esq.  
DATE: October 10, 2007  
SUBJECT: Sandcastle Homes, Inc. (Cardoropoli)

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I have received and reviewed the water easement for the above project. It is in order. It has also been reviewed and approved by Mark Edsall. The easement has been executed by the Supervisor and will be received and filed with the Town once recorded in the Orange County Clerk's Office.

There are no other outstanding issues with my office concerning this project. If you require anything further please advise.

MDB



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

**RICHARD D. MCGOEY, P.E. (NY & PA)**

**WILLIAM J. HAUSER, P.E. (NY & NJ)**

**MARK J. EDSALL, P.E. (NY, NJ & PA)**

**JAMES M. FARR, P.E. (NY & PA)**

**MAIN OFFICE**

**33 AIRPORT CENTER DRIVE**

**SUITE 202**

**NEW WINDSOR, NEW YORK 12553**

**(845) 567-3100**

**FAX: (845) 567-3232**

**E-MAIL: MHENY@MHEPC.COM**

**WRITER'S E-MAIL ADDRESS:**

**MJE@MHEPC.COM**

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** SANDCASTLE HOMES COMMERCIAL SUBDIVISION  
**PROJECT LOCATION:** RIVER ROAD – OLD ROUTE 9W- UNION AVE.  
SECTION 9 – BLOCK 1 – LOT 101  
**PROJECT NUMBER:** 05-23  
**DATE:** 8 AUGUST 2007  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF THE 3.23 +/-  
ACRE PARCEL INTO THREE (3) COMMERCIAL LOTS. THE PLAN  
WAS PREVIOUSLY REVIEWED AT THE 27 JULY 2005 AND  
28 MARCH 2007 PLANNING BOARD MEETINGS.

1. The property is located in the NC zoning district of the Town. The bulk information indicated on the plan appears correct for permitted uses A-4 thru A-7, and the table has been expanded in response to previous comments.
2. The following (minor) corrections should be made to made to the final drawings and final submittal:

• Note #8 on sheet #1 is outdated. The current section of the code is 300-45.

• As previously noted, the lot numbers should be identified on the sheet #2.

- The maintenance for all the shared improvements must be clarified on both the final subdivision plat, and the site plan. The appropriate instrument for the easements and maintenance agreements must be prepared (see additional comments with site plan review, app. No. 05-24).

**REGIONAL OFFICES**

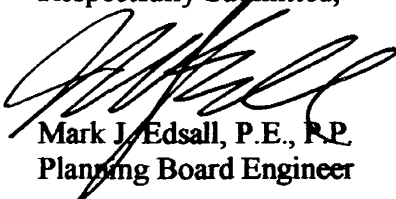
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• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

3. Toward the goal of consideration of approval, note the following status for various aspects of the application:

- Orange County Planning (GML 239) Referral - was referred to the OCPD on 11-1-05. The County returned a letter on 12-5-05 "Local Determination".
- Preliminary Public Hearing - the Planning Board waived the Public Hearing on 7-27-05.
- SEQRA Lead Agency - Planning Board assumed position of Lead Agency on 7-27-05.
- SWPPP - Submittals and several resubmittals received. MHE accepted on 6-20-07.
- SEQRA Determination - The Planning Board may wish to classify this action as an "unlisted action" under SEQRA, and consider a "negative declaration" of environmental significance, based on the information presented and reviewed.
- Final Public Hearing - I recommend this hearing be waived.

4. If the board believes the application is in final form, I recommend the Board authorize the Attorney for the Planning Board to prepare a "negative declaration" resolution and Conditional Final Subdivision Approval resolution, and authorize the Chairman to sign such resolutions.

Respectfully Submitted,



Mark J. Edsall, P.E., R.P.  
Planning Board Engineer

MJE/st  
NW05-23-08Aug07.doc



**Combined Real Estate  
Transfer Tax Return,  
Credit Line Mortgage Certificate, and  
Certification of Exemption from the  
Payment of Estimated Personal Income Tax**

Recording office time stamp

See Form TP-584-1, Instructions for Form TP-584, before completing this form. Please print or type.

**Schedule A — Information relating to conveyance**

<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	Grantor/Transferor	Name (if individual; last, first, middle initial)	Social security number
		Cardaropoli, Nicholas J.	084-50-5953
		Mailing address	Social security number
		PO Box 487	
		City State ZIP code	Federal employer ident. number
		Cornwall-On-Hudson NY 12520	14-6002338
<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input checked="" type="checkbox"/> Other	Grantee/Transferee	Name (if individual; last, first, middle initial)	Social security number
		Town of New Windsor	
		Mailing address	Social security number
		555 Union Avenue	
		City State ZIP code	Federal employer ident. number
		New Windsor NY 12553	

## Location and description of property conveyed

Tax map designation			Address	City/village	Town	County
Section	Block	Lot				
9	1	101			New Windsor	Orange

## Type of property conveyed (check applicable box)

- |   |  |   |  |
|---|--|---|--|
| 1 <input type="checkbox"/> One- to three-family house | 5 <input type="checkbox"/> Commercial/Industrial | Date of conveyance<br><div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="flex: 1; border-bottom: 1px solid black;"></div> <div style="flex: 1; border-bottom: 1px solid black;"></div> <div style="flex: 1; border-bottom: 1px solid black;"></div> </div> <div style="display: flex; justify-content: space-around; font-size: small;"> <span>month</span> <span>day</span> <span>year</span> </div> | Percentage of real property<br>conveyed which is residential<br>real property _____ %<br><i>(see instructions)</i> |
| 2 <input type="checkbox"/> Residential cooperative    | 6 <input type="checkbox"/> Apartment building    |   |  |
| 3 <input type="checkbox"/> Residential condominium    | 7 <input type="checkbox"/> Office building       |   |  |
| 4 <input checked="" type="checkbox"/> Vacant land     | 8 <input type="checkbox"/> Other _____           |   |  |

## Condition of conveyance (check all that apply)

- |  |  |   |
|--|--|---|
| a. <input type="checkbox"/> Conveyance of fee interest<br><br>b. <input type="checkbox"/> Acquisition of a controlling interest (state percentage acquired _____ %)<br><br>c. <input type="checkbox"/> Transfer of a controlling interest (state percentage transferred _____ %)<br><br>d. <input type="checkbox"/> Conveyance to cooperative housing corporation<br><br>e. <input type="checkbox"/> Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E) | f. <input type="checkbox"/> Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)<br><br>g. <input type="checkbox"/> Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)<br><br>h. <input type="checkbox"/> Conveyance of cooperative apartment(s)<br><br>i. <input type="checkbox"/> Syndication<br><br>j. <input type="checkbox"/> Conveyance of air rights or development rights<br><br>k. <input type="checkbox"/> Contract assignment | l. <input type="checkbox"/> Option assignment or surrender<br><br>m. <input type="checkbox"/> Leasehold assignment or surrender<br><br>n. <input type="checkbox"/> Leasehold grant<br><br>o. <input checked="" type="checkbox"/> Conveyance of an easement<br><br>p. <input type="checkbox"/> Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)<br><br>q. <input type="checkbox"/> Conveyance of property partly within and partly outside the state<br><br>r. <input type="checkbox"/> Other (describe) _____ |
|--|--|---|

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B., Part I \$		
	Schedule B., Part II \$		

**Schedule B — Real estate transfer tax return (Tax Law, Article 31)****Part I — Computation of tax due**

1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) ..... <input type="checkbox"/> Exemption claimed	1.	0
2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien) .....	2.	
3 Taxable consideration (subtract line 2 from line 1) .....	3.	0
4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3 .....	4.	
5 Amount of credit claimed (see instructions and attach Form TP-584.1, Schedule G) .....	5.	
6 Total tax due* (subtract line 5 from line 4) .....	6.	0

**Part II — Computation of additional tax due on the conveyance of residential real property for \$1 million or more**

1 Enter amount of consideration for conveyance (from Part I, line 1) .....	1.	
2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...	2.	
3 Total additional transfer tax due* (multiply line 2 by 1% (.01)) .....	3.	

**Part III — Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) ..... a ☐
- b. Conveyance is to secure a debt or other obligation ..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance ..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts ..... d ☐
- e. Conveyance is given in connection with a tax sale ..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F ..... f ☐
- g. Conveyance consists of deed of partition ..... g ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act ..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property ..... i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment ..... j ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents supporting such claim) ..... k ☐
- l. Other (attach explanation) ..... l ☐

\*Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in New York City, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.



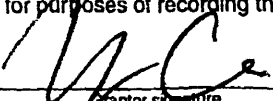

**Schedule C — Credit Line Mortgage Certificate (Tax Law, Article 11)****Complete the following only if the interest being transferred is a fee simple interest.**

I (we) certify that: (check the appropriate box)

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
- ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
- ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
- ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
- ☐ The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.
- Please note:** for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.
- ☐ Other (attach detailed explanation).
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
- ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
- ☐ A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in \_\_\_\_\_ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is \_\_\_\_\_. No exemption from tax is claimed and the tax of \_\_\_\_\_ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City, make check payable to the NYC Department of Finance.)

**Signature (both the grantor(s) and grantee(s) must sign)**

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

 _____ Grantor signature Nicholas J. Cardaropoli	_____ Title	 _____ Grantee signature George A. Green	_____ Title
_____ Grantor signature	_____ Title	_____ Grantee signature	_____ Title

**Reminder:** Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in New York City, to the **NYC Department of Finance**? If no recording is required, send your check(s), made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

**Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)**

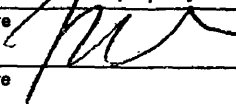
Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

**Part I - New York State residents**

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature 	Print full name Nicholas J. Cardaropoli	Date 10-3-07
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

**Note:** A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

**Part II - Nonresidents of New York State**

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on page 1 of Form TP-584-I.

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from \_\_\_\_\_ Date \_\_\_\_\_ to \_\_\_\_\_ Date \_\_\_\_\_ (see instructions).
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

EASEMENT

9-1-101

10th  
30  
EASEMENT granted this 30 day of October, 2007, in consideration of the sum of (\$10.00) DOLLARS, the undersigned, NICHOLAS J. CARDAROPOLI, PO Box 487, Cornwall-On-Hudson, New York 12550, hereinafter called "Grantor", hereby grants unto the TOWN OF NEW WINDSOR, a municipal corporation having its office at 555 Union Avenue, New Windsor, New York 12553, hereinafter the "Grantee", a perpetual easement and right-of-way to enter upon and lay, install, operate, maintain and replace pipes and appurtenances for conveying water under the property of the Grantor described in Schedule A hereto attached.

The Grantor reserves the right to use and enjoy the said premises, except for the rights and privileges herein described and granted, provided that such use shall not interfere with or cause injury or damage to the said water system or appurtenances thereto.

This Easement is made upon the following expressed conditions and reservations which shall run with the land and be binding upon the inure to the benefit of the Grantor and the Grantee and their respective successors, heirs and assigns;

The Grantee shall, at its own cost and expense after completion of any future repairs to the water system, restore the surface of said lands and premises to substantially the same condition as before such repairs.

The water system and appurtenances placed in or under said right-of-way shall, at all times, remain the property of the Grantee and under its control and supervision, and the Grantor and its successors and assigns shall not interfere with or cause injury or damage to said water system or appurtenances.

The Grantor shall not be authorized to place any structures within the easement area without the written consent of the Grantee.

  
NICHOLAS J. CARDAROPOLI

TOWN OF NEW WINDSOR

By:   
GEORGE A. GREEN, Supervisor

STATE OF NEW YORK)

) ss.:

COUNTY OF ORANGE )

On the 3<sup>d</sup> day of October, in the year 2007 before me, the undersigned, a Notary Public in and for the said State, personally appeared NICHOLAS J. CARDAROPOLI personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

  
Notary Public

JOSEPH P. RONES  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires June 30, 10-2010

STATE OF NEW YORK)

) ss.:

COUNTY OF ORANGE )

On the 10<sup>th</sup> day of October in the year 2007 before me, the undersigned, a Notary Public in and for the said State, personally appeared GEORGE A. GREEN personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

  
Notary Public

Jessica T. Marina  
Notary Public, State of New York  
No. 01MA5016619  
Qualified in Orange County  
Commission Expires Aug. 16, 2009



**EUSTANCE & HOROWITZ, P.C.**

CONSULTING ENGINEERS

■ LAND PLANNERS

■ LAND SURVEYORS

August 20, 2007

**DESCRIPTION FOR:  
20' WATER EASEMENT THRU LOT 1  
SANDCASTLE HOMES  
TOWN OF NEW WINDSOR**

All that certain lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at a point on the easterly line of Old Route 9W, said point being located, South 12°-44'-00" East 134.58' from the intersection of the easterly line of Old Route 9W and the westerly line of Union Avenue (County Highway 69); thence from said point of beginning and passing through Lot 1, North 35°-40'-48" East 91.61' to a point in the westerly line of Union Avenue; thence along the westerly line of Union Avenue, South 55°-30'-00" East 20.00' to a point; thence passing through Lot 1 on a line 20' southerly of, and parallel to the first course, South 35°-40'-48" West 109.36' to a point in the easterly line of Old Route 9W; thence along the easterly line of Old Route 9W, North 12°-44'-00" West 26.74' to the point or place of beginning.

Containing 2,010 square feet.

The above-described parcel was taken from a plan entitled, "Easement Plan for Sandcastle Homes", Town of New Windsor, Orange County, New York, as prepared by Eustance & Horowitz, P.C. dated May 24, 2007; last revised July 2, 2007.

The above-described water easement is granted in favor of the Town of New Windsor.

WLC/TJB/lk

050023 Lot1-WtrEasement

P.O. BOX 42

CIRCLEVILLE, NY 10919

845-361-4541

FAX 845-361-1045



DECLARATION OF EASEMENT AND  
MAINTENANCE AGREEMENT

This declaration made this 3<sup>d</sup> day of October, 2007, by NICHOLAS J. CARDAROPOLI, PO Box 487, Cornwall-On-Hudson, New York 12550, referred to as "Declarant".

WHEREAS, NICHOLAS J. CARDAROPOLI is the owner in fee of the Parcel of Land described in a deed to the Declarant from Benjamin Harris dated April 30, 2003 and recorded May 7, 2003 in Liber 11041 of Deeds at page 958, having a Tax Map designation of 9-1-101 on the Tax Map of the Town of New Windsor, Orange County, New York, which Parcel is to be divided into three lots pursuant to a Map entitled "3 Lot Subdivision for Sandcastle Homes" prepared by Eustance of Horowitz, P.C., dated May 26, 2005 which Map is intended to be filed in the Orange County Clerk's Office simultaneously with the recording of this Declaration; and

WHEREAS, in order for Lots Nos. 2, and 3 to have to have ingress and egress to the public highway known as Old Route 9W, a mutual easement is herein created running in favor of the Lots shown on the Subdivision Map as Lots No. 2 and 3; and

WHEREAS, in order for the aforesaid Lots to have access to the municipal sewer facilities located in the public right of way and to properly control and drain the storm water runoff from the respective Lots, there are herein created mutual easements for such purposes.

NOW THEREFORE, there is hereby imposed the following covenants, restrictions, easements, and agreements of record, each of which are intended to and shall run with and burden the lands affected.

1. The Declarant hereby creates a 15' wide drainage easement through Lot 2 in favor of Lot 1. Said easement is more particularly described in Schedule A, annexed.
2. The Declarant hereby creates an easement through Lot 2 in favor of Lot 3 for ingress and egress. Said easement is more particularly described in Schedule B, annexed.

3. The Declarant hereby creates a 20' wide sewer easement through Lot 2 in favor of Lot 3. Said easement is more particularly described in Schedule C, annexed.
4. The Declarant hereby creates a 15' wide drainage easement through Lot 3 in favor of Lot 1. Said easement is more particularly described in Schedule D, annexed.
5. The Declarant hereby creates a 20' wide drainage easement and retention pond area through Lot 3 in favor of Lot 2. Said easement is more particularly described in Schedule E, annexed.

The owners of Lots 1, 2 and 3 will share equally in the maintenance of the easements and drainage facilities, set forth in Schedules A, D and E. The owners of Lots 2 and 3 will share equally in the maintenance of the easements and sewer facilities set forth in Schedule C and the retention pond set forth in Schedule E. And, the Owners of Lots 2 and 3 will share equally in the maintenance of the easement set forth in Schedule B. The owners of the foregoing parcels affected by this agreement shall be responsible for the cost of maintenance in the proportions set forth above, "Proportionate Share." Owners of Lots are referred to below as "Lot Owners." Each Lot Owner shall have the reserved right to use and enjoy its respective premises, except for the rights and privileges herein described and granted, provided that no structures shall be placed within the easement or pond areas, and provided further that such use shall not interfere with or cause injury or damage to the said drainage or sewer system or appurtenances thereto or the right of ingress and egress to Old Route 9W, as the case may be.

- a. The Lot Owners shall meet at least annually to determine the maintenance and repairs that are to be performed for the ensuing 12 months and determine when and how contractors shall be hired to perform maintenance on the easements.
  - i. The first meeting of the Lot Owners may be called by one of the Owners and shall be held within the Town of New Windsor, upon 10 days notice by certified mail-return receipt requested, to the other Lot Owners. Subsequent meeting shall be held as may be agreed upon. In addition to the first meeting, any Lot Owners shall have the right to call for a Special Meeting upon his or her own initiative once in each calendar year at a place within the Town of

New Windsor, and on a date and at a time, upon notice as hereinabove provided.

- ii. The Lot Owners present at the first meeting and annually thereafter shall elect a manager (hereinafter the "Manager") who shall chair the meetings and oversee the programs adopted by the Lot Owners including the preparation of budgets, arrangements for maintenance and the collection of assessments. The Manager need not be a Lot Owner.
- iii. The determination by the Manager and the mailing by ordinary mail of a notice of the assessments for repair and maintenance of the easement areas against each Lot Owner shall be conclusive evidence that the obligation is due and collection thereof may be asserted by any Lot Owner acting on behalf of all Lot Owners.
- iv. Invoices based upon a budgeted allowance shall be rendered annually by the Manager and shall be due within 30 days after receipt. Late payments shall bear interest at the rate of 8% per annum.
- v. Each Lot Owner, by accepting a deed to or by owning land within the Subdivision agrees:
  - (1) To be responsible for their Proportionate Share of the cost of the repair of damage to the easement areas and the facilities located therein.
  - (2) The failure of any Lot Owner to pay his or her "Proportionate Share" shall subject Lot Owner's real property to the lien of the contractor performing services for Owners, as if the Owner had executed the contract for the performance of the work or services. For the purposes of this Declaration, each Lot Owner hereby authorizes, and by accepting a Deed to any lot, accepts the condition that the acts of the Manager shall be done by the Manager as an agent for the Owners and the Owners consent to Manager's actions and agree to be bound by them.



- (3) Unless otherwise agreed by the Owners, it is hereby declared that in the event of the accumulation of three inches or more of snow, the Manager is authorized to engage a Contractor to remove the snow from the ingress and egress easement without further authorization from the Lot Owners and, if needed, to have said area sanded or otherwise treated.
- (4) Potholes within the ingress and egress easement exceeding three inches in depth and restoration of the traveled way by grading, when differences in elevation or portions thereof are more than six inches, shall be deemed authorized repairs.
- (5) The use of the term "Lot Owner" shall include the Declarant or his successors.

The right of access shall include the right to construct, install and otherwise build, repair, and maintain a driveway and appurtenant structures and improvements to the extent as may be necessary to obtain access and egress from Lots 2 and 3 to Old Route 9W.

The Declarant, his successors and assigns, and all Lots affected by or benefiting from this agreement, shall have no liability to any other Lot Owner, or any other person, for any damage or injury that may be incurred in connection with the work to be done by them on the easement areas as a consequence of entering into this agreement or any of the actions taken in performance of this agreement.

Each person in title to the Lots affected by and benefiting from this Declaration shall hold harmless each of the other Lots and Lot Owners from any and all liabilities or costs incurred in connection with the creation, use and maintenance of the easement areas and the facilities subject to this agreement.

With respect to the property owned by it, each Owner of each Lot shall indemnify and hold the other Owners harmless from all claims of every kind, of every person, including without limitation, employees of the indemnifying party, contractors, tenants of the indemnifying party, and subtenants or concessionaires of any tenants, and employees, guests and business invitees of any tenants, subtenants or

concessionaires, which claims arise from or out of the construction, use, occupancy, or possession of the easement areas by the indemnifying party.

The easements and rights created by this agreement shall be deemed to run with the land, and shall be binding upon and will inure to the benefit of the Declarant, his successors and assigns, his agents, employees, business invitees, guests, and shall be burdens to the respective parcels perpetually.

In Witness Whereof, the undersigned has duly executed this cross easement agreement on the day and year written above.



NICHOLAS J. CARDAROPOLI

STATE OF NEW YORK )

) ss:

COUNTY OF ORANGE )

On the 3<sup>d</sup> day of October, in the year 2007, before me, the undersigned, a notary public in and for said state, personally appeared NICHOLAS J. CARDAROPOLI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by he/she/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

JOSEPH P. RONES  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires June 30, 192010



NOTARY PUBLIC



August 20, 2007

**SCHEDULE A**

**DESCRIPTION FOR:  
15' WIDE DRAINAGE EASEMENT THRU LOT 2  
SANDCASTLE HOMES  
TOWN OF NEW WINDSOR**

All that certain lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at a point on the northerly side of River Road (Blooming Grove Turnpike), said point being the most easterly corner of Lot 2 and the southerly corner of Lot 3 of the Sandcastle Homes Subdivision; thence from said point of beginning and along the northerly line of River Road, South 47°-13'-00" West 15.00'; thence passing through Lot 2, North 42°-47'-00" West 221.50' to a point in the line of Lot 1; thence along the line between Lots 1 and 2, North 47°-13'-00" East 15.00' to the westerly corner of Lot 3; thence along the line between Lots 2 and 3, South 42°-47'-00" East 221.50' to the point or place of beginning.

Containing 3,323 square feet.

The above-described parcel was taken from a plan entitled, "Easement Plan for Sandcastle Homes", Town of New Windsor, Orange County, New York, as prepared by Eustance & Horowitz, P.C. dated May 24, 2007; last revised July 2, 2007.

The above-described drainage easement is granted in favor of Lot 1.

WLC/TJB/lk

050023 Lot2-DrainageEasement





# **EUSTANCE & HOROWITZ, P.C.**

CONSULTING ENGINEERS ■ LAND PLANNERS ■ LAND SURVEYORS

August 20, 2007

## **SCHEDULE B**

**DESCRIPTION FOR:  
INGRESS AND EGRESS EASEMENT THRU LOT 2  
SANDCASTLE HOMES  
TOWN OF NEW WINDSOR**

All that certain lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at a point on the easterly line of Old Route 9W marking the southerly corner of Lot 1 and the northwesterly corner of Lot 2; thence from said point of beginning and passing through Lot 2 on the following six courses and distances; on a curve to the right having a radius of 40.82', an arc distance of 60.40' to a point of tangency; thence South 11°-03'-07" East 35.03' to a point of curvature; thence on a curve to the left having a radius of 67.20', an arc distance of 27.05' to a point of tangency; thence South 42°-47'-00" East 50.27' to a point of curvature; thence on a curve to the left having a radius of 24.50', an arc distance of 38.48' to a point of tangency; thence North 47°-13'-00" East 124.50' to a point in the westerly line of Lot 3; thence along the lot line between Lots 2 and 3, South 42°-47'-00" East 37.03' to a point in the westerly line of River Road (Blooming Grove Turnpike); thence along the westerly line of River Road, South 47°-13'-00" West 152.42'; thence on a line between River Road and Old Route 9W, North 79°-07'-00" West 29.67'; thence passing through Lot 2; North 42°-47'-00" West 112.82' to a point in the easterly line of Old Route 9W; thence along the easterly line of Old Route 9W, North 12°-44'-00" West 97.95' to the point or place of beginning.

Containing 13,268 square feet.

The above-described parcel was taken from a plan entitled, "Easement Plan for Sandcastle Homes", Town of New Windsor, Orange County, New York, as prepared by Eustance & Horowitz, P.C. dated May 24, 2007; last revised July 2, 2007.

The above-described ingress and egress easement is granted in favor of Lot 3.

WLC/TJB/lk

050023 Lot2-In-EgressEasement





**EUSTANCE & HOROWITZ, P.C.**

CONSULTING ENGINEERS ■ LAND PLANNERS ■ LAND SURVEYORS

August 20, 2007

**SCHEDULE C**

**DESCRIPTION FOR:  
20' WIDE SEWER EASEMENT THRU LOT 2  
SANDCASTLE HOMES  
TOWN OF NEW WINDSOR**

All that certain lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at a point on the easterly line of Old Route 9W, said point being located, South 12°-44'-00" East 445.19' from the intersection of the easterly line of Old Route 9W and the westerly line of Union Avenue (County Highway 69); thence from said point of beginning and along the southerly line of Lot 1, North 47°-13'-00" East 120.95' to the most northerly corner of Lot 2 and the most westerly corner of Lot 3; thence along the easterly line of Lot 2, South 42°-47'-00" East 20.00'; thence passing through Lot 2 on a line 20' southerly of, and parallel to the first course, South 47°-13'-00" West 147.52' to a point in the easterly line of Old Route 9W; thence along the easterly line of Old Route 9W, North 12°-44'-00" West 23.11' to the point or place of beginning.

Containing 2,835 square feet.

The above-described parcel was taken from a plan entitled, "Easement Plan for Sandcastle Homes", Town of New Windsor, Orange County, New York, as prepared by Eustance & Horowitz, P.C. dated May 24, 2007; last revised July 2, 2007.

The above-described sewer easement is granted in favor of Lot 3.

WLC/TJB/lk

050023 Lot2-SwrEasement





**EUSTANCE & HOROWITZ, P.C.**

CONSULTING ENGINEERS ■ LAND PLANNERS ■ LAND SURVEYORS

August 20, 2007

**SCHEDULE D**

**DESCRIPTION FOR:  
15' WIDE DRAINAGE EASEMENT THRU LOT 3  
SANDCASTLE HOMES  
TOWN OF NEW WINDSOR**

All that certain lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at a point on the southerly line of Lot 1 at its common corner with Lots 2 and 3, as shown on the Sandcastle Homes Subdivision; thence from said point of beginning and along the southerly line of Lot 1, North 47°-13'-00" East 15.00'; thence passing through Lot 3 on the next three courses and distances: South 42°-47'-00" East 206.50'; thence North 47°-13'-00" East 66.50'; thence South 42°-47'-00" East 15.00' to a point in the northerly line of River Road (Blooming Grove Turnpike); thence along the northerly line of River Road, South 47°-13'-00" West 81.50' to the corner of Lots 2 and 3 of the aforementioned subdivision; thence along the common line between Lots 2 and 3, North 42°-47'-00" West 221.50' to the point or place of beginning.

Containing 4,320 square feet.

The above-described parcel was taken from a plan entitled, "Easement Plan for Sandcastle Homes", Town of New Windsor, Orange County, New York, as prepared by Eustance & Horowitz, P.C. dated May 24, 2007; last revised July 2, 2007.

The above-described drainage easement is granted in favor of Lot 1.

WLC/TJB/lk

050023 Lot3-DrainageEasement





**EUSTANCE & HOROWITZ, P.C.**

CONSULTING ENGINEERS ■ LAND PLANNERS ■ LAND SURVEYORS

August 20, 2007

**SCHEDULE E**

**DESCRIPTION FOR:  
20' WIDE DRAINAGE EASEMENT, AND POND AREA THRU LOT 3  
SANDCASTLE HOMES  
TOWN OF NEW WINDSOR**

All that certain lot, piece or parcel of land situate in the Town of New Windsor, County of Orange, State of New York and being more accurately bounded and described as follows:

Beginning at a point on the lot line between Lots 1 and 2 of the Sandcastle Homes Subdivision, said point being located, North 42°-47'-00" West 37.03' from the northerly line of River Road; thence from said point of beginning and along the northerly line of Lot 2, North 42°-47'-00" West 20.32'; thence passing through Lot 3 on the following four courses and distances: North 57°-24'-39" East 23.87'; thence North 00°-17'-30" East 84.94'; thence South 42°-47'-00" East 7.43'; thence North 47°-13'-00" East 119.02' to a point in the westerly line of Union Avenue (County Highway 69); thence along the westerly line of Union Avenue and further along the northerly line of River Road on the next three courses and distances: South 55°-30'-00" East 28.30'; thence South 03°-15'-00" West 109.66'; thence South 47°-13'-00" West 46.32'; thence passing through Lot 3 on the remaining 3 courses and distances: North 42°-47'-00" West 81.88'; thence South 00°-17'-30" West 74.43'; thence South 57°-24'-39" West 31.16' to the point or place of beginning.

Containing 12,046 square feet.

The above-described parcel was taken from a plan entitled, "Easement Plan for Sandcastle Homes", Town of New Windsor, Orange County, New York, as prepared by Eustance & Horowitz, P.C. dated May 24, 2007; last revised July 2, 2007.

The above-described drainage easement is granted in favor of Lot 2.

WLC/TJB/lk

050023 Lot3-Pond-DrainageEasement



AS OF: 11/06/07

PAGE: 2

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 5- 23

FOR ALL WORK ON FILE:

TASK-NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
5-23	378953				PD/CR 07-1120	PD 05/09/07	808.00				
5-23	339779	05/23/07			BILL 07-1353					-178.50	
5-23	379466				PD/CR 07-1353	PD 06/11/07	178.50				
5-23	341858	06/03/07	TIME	JRS	MR SANDCASTLE HOMES	119.00	3.00	357.00			
5-23	342889	06/04/07	TIME	JRS	MR SANDCASTLE HOME	119.00	3.00	357.00			
5-23	343327	06/06/07	TIME	MJE	WS SANDCASTLE	119.00	0.40	47.60			
5-23	344829	06/19/07	TIME	JRS	MR SANDCASTLE HOMES	119.00	2.00	238.00			
5-23	345283	06/20/07	TIME	MJE	WS SANDCASTLE SUB	119.00	0.30	35.70			
5-23	345368	06/20/07	TIME	CTL	CL SANDCASTLE-SWPPP	31.00	0.10	3.10			
								1038.40			
5-23	347157	07/06/07			BILL 07-1799					-1038.40	
5-23	390040				PD/CR 07-1799	PD 07/25/07	1038.40				
5-23	352035	08/04/07	TIME	MJE	MR SANDCASTLE SUB	119.00	0.70	83.30			
5-23	352042	08/05/07	TIME	MJE	MR SANDCASTLE SUB	119.00	0.30	35.70			
5-23	352463	08/08/07	TIME	MJE	MM Sandcastle SUB CONDAP	119.00	0.10	11.90			
5-23	352931	08/08/07	TIME	MJE	MC SANDCASTLE COMM-ARCH	119.00	0.20	23.80			
5-23	352945	08/08/07	TIME	MJE	PM SANDCASTLE SUB W/GA	119.00	0.20	23.80			
5-23	352952	08/08/07	TIME	MJE	MM SANDCASTLE SUB	119.00	0.40	47.60			
5-23	356079	08/30/07	TIME	MJE	MC CAPILLA:RIVER BONDS	119.00	0.30	35.70			
5-23	360337	09/27/07	TIME	MJE	MC SANDCASTLE EASEMENT	119.00	0.20	23.80			
								285.60			
5-23	359817	09/27/07			BILL 07-2516					-261.80	
5-23	381043				PD/CR 07-2516	PD 10/11/07	261.80				
5-23	362909	10/10/07	TIME	MJE	MC MARIO:SANDCASTLE	119.00	0.20	23.80			
5-23	362910	10/10/07	TIME	MJE	MC SANDCASTLE ISSUES	119.00	0.20	23.80			
5-23	381264	10/17/07	TIME	MJE	PM MTG:CLOSROUT & T/E	119.00	0.20	23.80			
5-23	382725	10/23/07	TIME	MJE	MC REV STATUS/ENC/MM	119.00	0.30	35.70			
5-23	382733	10/24/07	TIME	MJE	MC SANDCASTLE C/O	119.00	0.30	35.70			
5-23	382712	10/25/07	TIME	MJE	MC SANDCASTLE EASE/MAIN	119.00	0.40	47.60			
5-23	382715	10/26/07	TIME	MJE	MC SANDCASTLE MAIN DEC	119.00	0.80	95.20			
5-23	383822	11/06/07	TIME	MJE	MC Closeout	119.00	0.30	35.70			
					TASK TOTAL			3644.20		-3299.10	345.10
									0.00		
					GRAND TOTAL			3644.20		-3299.10	345.10
									0.00		





Date	Entry #	Received From/Paid To Explanation	Chg# Ref	Rpts	General Disbs	Fees	Bld Inv#	Trust Activity Acc	Rpts	Disbs	Balance
12132		TOWN OF NEW WINDSOR									
6085922		SANDCASTLE PB# 05-23									
Mar 27/2007	64127	Lawyer: DRC 0.20 Hrs X 175.00 REVIEW M EDSALL'S COMMENTS PB# 05-23				35.00	3312				Resp Lawyer: JEL
Mar 27/2007	64128	Lawyer: DRC 0.20 Hrs X 175.00 REVIEW SWPPP COMMENTS PB# 05-23				35.00	3312				
Apr 13/2007	64231	Billing on Invoice 3312 FEES 70.00			0.00		3312				
Apr 27/2007	67014	Town of New Windsor PMT - PAYMENT ON ACCOUNT	026039	70.00							
Aug 8/2007	86816	Lawyer: DRC 0.20 Hrs X 175.00 REVIEW M EDSALL'S COMMENTS PB#05-23				35.00	4649				
Aug 8/2007	86817	Lawyer: DRC 0.80 Hrs X 175.00 PREPARE RESOLUTIONS ADOPTING A NEGATIVE DECLARATION AND GRANTING APPROVAL PB# 05-23				140.00	4649				
Aug 8/2007	86821	Lawyer: DRC 0.30 Hrs X 175.00 PREPARE NEGATIVE DECLARATION PB# 05-23				52.50	4649				
Aug 8/2007	86831	Lawyer: DRC 0.20 Hrs X 175.00 ATTEND AUGUST PLANNING BOARD MEETING PB# 05-23				35.00	4649				
Sep 10/2007	91929	Billing on Invoice 4649 FEES 262.50			0.00		4649				
Oct 1/2007	95827	TOWN OF NEW WINDSOR PMT - PAYMENT ON ACCOUNT	011494	262.50							
Nov 8/2007	104269	Lawyer: DRC 0.30 Hrs X 175.00 REVIEW DECLARATION OF RESTRICTIONS AND RELATED MATERIAL PB# 05-23				52.50					

TOTALS	CHE	RECOV	FEES	TOTAL	DISBS	FEES	TAX	RECEIPTS	BALANCES	TRUST
PERIOD	0.00	0.00	52.50	52.50	0.00	332.50	0.00	332.50	0.00	0.00

## REPORT SELECTIONS - Client Ledger

Layout Template Default  
 Requested by Rose Thoma  
 Finished Wednesday, November 14, 2007 at 11:38:22 AM  
 Ver 8.20c  
 Matters 6085922  
 Clients All  
 Major Clients All  
 Client Intro Lawyer All  
 Matter Intro Lawyer All  
 Responsible Lawyer All  
 Assigned Lawyer All  
 Type of Law All  
 Select From Active, Inactive Matters  
 Matters Sort by Default  
 New Page for Each Lawyer No  
 New Page for Each Matter No  
 No Activity Date Dec 31/2199  
 Firm Totals Only No  
 Totals Only No  
 Entries Shown - Billed Only No  
 Entries Shown - Disbursements Yes  
 Entries Shown - Receipts Yes  
 Entries Shown - Time or Fees Yes  
 Entries Shown - Trust Yes  
 Incl. Matters with Retainer Bal No  
 Incl. Matters with Neg Unbld Disb No  
 Trust Account All  
 Working Lawyer All  
 Include Corrected Entries No  
 Show Check # on Paid Payables No  
 Show Client Address No  
 Consolidate Payments No  
 Show Trust Summary by Account No  
 Printed from Register

SANDCASTLE\_HOMES\_SUBDIVISION\_(05-23)

Mr. Mario Salpepi and Mr. Nick Cardaropoli appeared before the board for this proposal.

MR. ARGENIO: This application proposes the subdivision of the 3.23 acre parcel into three commercial lots. The plan was previously reviewed at the 27 July, 2005 and 28 March, 2007 planning board meetings. Now I'm going to read a quick excerpt. Next application which is the site plan for these lots that was reviewed 27 July, 2005, 25 October, 2006, 28 March, 2007 planning board meetings and I swear for the life of me that we saw it at least one or two more times than that because this has been around and around and around but the planning board engineer insists that I'm mistaken which certainly is possible. And I would remind the board members that the first application is for the subdivision and as all you folks remember we have looked at quite a few iterations of this, this is the one to remind everybody where there was a problem with the access on Route 9W, do you remember, Neil, you brought up the good point that and I don't remember the exact nuances but they couldn't get out and go in one direction and make a certain turn so we're going to review the subdivision first and the meat of this application is with the site plan. Having said that, Mr. Cardaropoli?

MR. CARDAROPOLI: Nick Cardaropoli, C-A-R-D-A-R-O-P-L-I. We got it approved for one big building and we had access from River Road.

MR. ARGENIO: You didn't get approval for one big building. Is that a fact? Mark, do they have final approval?

MR. SALPEPI: Yes, there was a previous application.

MR. EDSALL: That is probably why you remember this so

much, I didn't know that it ever got stamped approved.

MR. CARDAROPOLI: Yeah, it got stamped.

MR. ARGENIO: Do you have it with you?

MR. SALPEPI: No.

MR. CARDAROPOLI: I don't know who has it.

MR. ARGENIO: That's not incredibly germane but go ahead.

MR. CARDAROPOLI: As you know, several other things went and we decided that to make three separate buildings. The reason why it was a little difficult at the time to rent one big building to lease it so the biggest problem was the DEC, first they liked it okay for River Road then they changed it then you were presented with a plan that we really didn't like, you didn't like and it wouldn't have been right to build so now we met with the DEC--

MR. EDSALL: DOT.

MR. CARDAROPOLI: I'm sorry, the DOT and I think we have everything resolved.

MR. ARGENIO: You eliminated the access on 9W and that takes care of DOT.

MR. CARDAROPOLI: Well--

MR. ARGENIO: With the exception of drainage.

MR. CARDAROPOLI: We eliminated the access on River Road, the other road is old--

MR. ARGENIO: Isn't 9W the same as River Road?

MR. CARDAROPOLI: I think you're right there.

MR. ARGENIO: I've been in the town for a few years.

MR. CARDAROPOLI: You're right.

MR. VAN LEEUWEN: I wasn't here when the other plan was approved but there's no ingress or egress out on River Road.

MR. CARDAROPOLI: So it's been changed around several times and we're ready to get going now so--

MR. ARGENIO: Do you have tenants?

MR. CARDAROPOLI: We do not have tenants yet, we have people interested, we met with somebody yesterday that seemed to be interested but we've got to get final approval then we'll, we like to put up the buildings first then rent them out.

MR. ARGENIO: Orange County Planning has responded with local determination.

MS. GALLAGHER: She doesn't have anything.

MR. ARGENIO: Planning board assumed lead agency on 7/27/05, engineer reviewed the SWPPP already, do we need to vote on a negative dec for a subdivision?

MR. CORDISCO: Yes.

MR. ARGENIO: I'll accept a motion to that effect.

MR. SCHLESINGER: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: I'll accept a motion that the Town of New Windsor Planning Board declare negative dec on the

subdivision for the Cardaropoli subdivision.

MR. VAN LEEUWEN: Central Valley Real Estate.

MR. ARGENIO: Sandcastle Homes, et cetera. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: You're authorized to prepare the negative dec, Dominic.

MR. CORDISCO: I'm one step ahead of you this night, I already prepared it.

MR. ARGENIO: Does anybody have any questions on this? This is pretty clean here.

MR. VAN LEEUWEN: It's out to the County, right?

MR. CORDISCO: Already came back as a local determination.

MR. ARGENIO: Let me ask one question please, Mr. Cardaropoli, these three lots access to lot 1 will be on Union Avenue, access to lot 3 will be where?

MR. CARDAROPOLI: Union Avenue.

MR. ARGENIO: Access to lot 2 will be where?

MR. CARDAROPOLI: Union Avenue.

MR. ARGENIO: This doesn't border Union Avenue?

MR. SALPEPI: Excuse me, old Route 9W here, we'll get to the site plan in a moment.

MR. ARGENIO: Wait a second.

MR. SALPEPI: They're all old Route 9W.

MR. ARGENIO: Mark, what I have a problem with is we're creating a three lot subdivision with one of the lots is going over to Route 9W.

MR. EDSALL: Route 9W.

MR. ARGENIO: Isn't that what you just said?

MR. EDSALL: Old Route 9W.

MR. ARGENIO: Which is a town road, okay, so lot 2 is old Route 9W, lot 1 is?

MR. EDSALL: Old Route 9W.

MR. ARGENIO: And lot 3 is?

MR. SALPEPI: Same, Old Route 9W.

MR. EDSALL: Goes over lot 2 shared access.

MR. ARGENIO: Understood. My point is you have nothing down here on the state highway.

MR. CARDAROPOLI: Nothing.

MR. ARGENIO: That's my point, I don't want to create something that puts access down there and that certainly would be a problem. Do I have an old plan?

MR. SALPEPI: Are you looking at the site plan or subdivision plan? 9W is actually not part of the site, it goes along here.

MR. ARGENIO: Show me where the state road is.

MR. SALPEPI: River Road is a state road, it's also a DOT state road.

MR. ARGENIO: Mark, what are we doing here? I don't understand what we're doing here. I understand the subdivision but I thought didn't you just say you have no access onto the state road?

MR. SALPEPI: We don't, all of our access is off of Old 9W.

MR. ARGENIO: What's this here then?

MR. SALPEPI: This is an old plan.

MR. ARGENIO: So I don't have a new plan. Why don't I have a new plan?

MR. EDSALL: Somebody gave you the wrong one.

MR. CORDISCO: On this issue there will be easements required and recorded so that all of the lots have access to Old Route 9W.

MR. BABCOCK: That's my fault, Mr. Chairman, but Mr. Chairman I have a plan for him right here, he can have mine.

MR. ARGENIO: Neil, my concern was that the access was not going to be on River Road, that's the key to the package to get away from the state DOT. The plan that Mr. Van Leeuwen and I were looking at up here clearly shows an access onto River Road.

MR. SCHLESINGER: Me too.

MR. ARGENIO: That's why I'm confused. I'm voting on a



subdivision or reviewing a subdivision that shows access to Route 9W but as, or River Road, but as we said Myra has been sick, so let's try and swing with the punches here a little bit and get squared away. The latest revision on the plan should be 7/6 of '07; do you have that?

MR. SCHLESINGER: Got it.

MR. ARGENIO: Is that correct?

MR. SALPEPI: Yes.

MR. ARGENIO: Mark, is that correct?

MR. EDSALL: That's the one.

MR. CORDISCO: Just so that we're clear what you're looking at and it has 7/6/07 is the site plan.

MR. ARGENIO: I understand that.

MR. CORDISCO: Then I think page 5 or page 6 is the actual subdivision.

MR. ARGENIO: I'm fine with that, Dominic, I have no problem with the subdivision, the subdivision is fine, we're going to vote on it in a minute, I hope the members agree with me, but I can't look at a subdivision that shows entrance to River Road. What's the matter, Mark?

MR. EDSALL: Nothing, I'm agreeing with you.

MR. ARGENIO: Anybody else have anything about the subdivision? I'm done with my rant.

MR. SCHLESINGER: Will you be, were you addressing the subdivision?

MR. ARGENIO: Subdivision. Did we do SEQRA yet?

MR. CORDISCO: You just did.

MR. ARGENIO: Anything else on the subdivision?  
Somebody feels fit I'll accept a motion we waive the  
final public hearing on this subdivision.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that we  
waive the public hearing.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Anybody have anything else on the  
subdivision? Mark, am I missing anything?

MR. EDSALL: No, it's in good shape. The big issue  
that we'll deal with after you approve it is to make  
sure because of the multiple easements, there's sewer  
easements, there's water easements, there's drainage  
easements, there's access easements, Dom and I need to  
make sure that the proper document gets filed to  
reflect all those easements so that just is a condition  
we'll deal with that after the fact.

MR. CARDAROPOLI: That's no problem.

MR. ARGENIO: Accept a motion for final of the  
subdivision plan for the Sandcastle subdivision subject  
to Mark and Dominic reviewing and accepting those

August 8, 2007

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easement documents.

MR. CORDISCO: And I prepared a resolution.

MR. VAN LEEUWEN: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer final approval to the Sandcastle Homes subdivision on Route 9W. I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

JULY 27, 2005

SANDCASTLE HOMES SUBDIVISION (05-23)

MR. PETRO: Next on tonight's agenda is Sandcastle Homes Commercial Subdivision on River Road Old Rt. 9W. The application proposes a subdivision of 3.23 acre parcel into three commercial lots. The plan was reviewed on a concept basis only, it's an NC zone, the bulk information included on the plan appears correct for permitted uses. However, it is an incomplete table. The plan should include all the listed information for NC bulk table and relative proposed values for each lot. Each lot is accurately sized to the requirements the plan indicates used for the site.

MR. COPPOLA: Mr. Chairman, we will try and be brief about this.

MR. PETRO: Just before you start, this is the big hole that we had looked at one other time, you're not doing what you had originally planned.

MR. CARDAROPOLI: We had planned for one large building with a garage on it.

MR. PETRO: It was two stories I believe at the time.

MR. CARDAROPOLI: Yes, two stories and a garage.

MR. COPPOLA: It was actually four levels, the garage plus three levels. 24,000 square feet.

MR. PETRO: Is this a brand new plan.

MR. COPPOLA: This is a brand new plan with a couple of exceptions. This is three office buildings. We decided this would be more marketable to break down the square footing. All the buildings are single story. They are all less than 5,000 square feet.

MR. ARGENIO: This is for a commercial subdivision, I don't have a plan

MR. PETRO: Hold on, hold on. What are we doing first Mark.

MR. EDSALL: The subdivision first.

MR. PETRO: Okay, we are doing the subdivision first, so let's not look at that plan.

MR. ARGENIO: We have the subdivision.

JULY 27, 2005

MR. PETRO: Put the subdivision plan up there.

MR. COPPOLA: I don't have that.

MS. MASON: Here Anthony, use this one.

MR. CARDAROPOLI: Thank you Myra.

MR. COPPOLA: So these comments just went over the subdivision. So, I believe basically all the lots are conforming lots as were done by Hustance and Horowitz. They have done the original survey and topo several years ago. We contacted them after we laid out a new use for the site of three office buildings. So that's what is shown on their subdivision plans. The site plan shows a shared use of the two lower lots and that easement is reflected on their subdivision plan.

MR. PETRO: Mark, what do you see with the subdivision, let's go over it so I can take action here.

MR. EDSALL: Very quickly, the bulk table just has to be completed. The reason is they have to indicate uses or various uses for each lot is they are showing it as 10,000 and 10,000 is a variety of uses that are permitted but, there are also uses in the NC zone that these lots would not comply with so they should just indicate what group of uses are proposed so they would have a choice after the plan is approved. Tonight I suggest you take Lead Agency on the subdivision application and I will be forwarding the subdivision plan and the next application together to the DOT and to the County Planning Board.

MR. PETRO: All right, motion for lead agency.

MR. ARGENIO: I'll make the motion that we take Lead Agency, the Town of New Windsor Planning Board take Lead Agency for Sandcastle Homes Subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the Planning Board declare itself Lead Agency for the Sandcastle Homes Commercial Subdivision on River Road. Any further discussion from the Board Members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE

JULY 27, 2005

MR. KARNAVEZOS: AYE  
MR. GALLAGHER: AYE  
MR. ARGENIO: AYE  
MR. PETRO: AYE.

MR. PETRO: I think, you're going to forward to DOT Mark, I think that Orange County Planning Department for Review, you can take care of that also.

MR. EDSALL: I'll take care of both of those.

MR. PETRO: Now the public hearing I think, this is only my opinion, for a three lot subdivision I think that could be waived under our discretionary judgment because we will have a public hearing on the site plan. I don't think we need to have one on the subdivision, it's really quite meaningless.

MR. ARGENIO: I agree, especially in so much as there is a lot of commercial property around there.

MR. PETRO: Motion to waive the public hearing.

MR. ARGENIO: I'll make that motion that Town of New Windsor Planning Board waive the public hearing under its discretionary judgment for Sandcastle Homes Commercial Subdivision.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for Sandcastle Homes Commercial Subdivision on River Road per its discretionary judgment, is there any further comment from the members, if not roll call.

ROLL CALL:

MR. SCHLESINGER: AYE  
MR. KARNAVEZOS: AYE  
MR. GALLAGHER: AYE  
MR. ARGENIO: AYE  
MR. PETRO: AYE

MR. PETRO: That's as far as we can go tonight with that.



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

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*mje@mhepc.com*

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** SANDCASTLE HOMES COMMERCIAL SUBDIVISION  
**PROJECT LOCATION:** RIVER ROAD – OLD ROUTE 9W- UNION AVE.  
SECTION 9 – BLOCK 1 – LOT 101  
**PROJECT NUMBER:** 05-23  
**DATE:** 27 JULY 2005  
**DESCRIPTION:** THE APPLICATION PROPOSES THE SUBDIVISION OF THE 3.23 +/- ACRE  
PARCEL INTO THREE (3) COMMERCIAL LOTS. THE PLAN WAS  
REVIEWED ON A CONCEPT BASIS ONLY.

1. The property is located in the NC zoning district of the Town. The bulk information indicated on the plan appears correct for permitted uses A-4 thru A-7; however, it is an incomplete table. The plan should include all the listed information of the NC bulk table, *and* relevant “proposed” values for each lot. Each lot appears adequately sized for the requirements.
2. The plan should indicate the uses proposed for the site.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
4. I recommend that this subdivision plan be forwarded to the NYSDOT together with the related site plans. Similarly, we can coordinate SEQRA together with the site plans. The applicant should submit six (6) sets of drawings (folded) and the environmental form for this purpose.
5. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision, or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.
6. As per New York State General Municipal Law (GML 239), this plan must be referred to the OCPD for review. Following this meeting, we will make that referral.

Respectfully Submitted

Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW05-23-27July05.doc

**REGIONAL OFFICES**

- 507 Broad Street • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

P.B. #05-23  
cc: H.E.  
D.C.



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
112 DICKSON STREET  
NEWBURGH, NY 12550-5324  
(845) 562-8368  
<http://www.dot.state.ny.us>

ROBERT A. DENNISON, III, P. E.  
REGIONAL DIRECTOR

THOMAS J. MADISON, JR.  
COMMISSIONER

September 20, 2007

Anthony J. Coppola, R.A.  
Coppola Associates  
3 Washington Center, 2<sup>nd</sup> Floor  
Newburgh, NY 12550

**RE: 3-LOT COMMERCIAL SUBDIVISION for Property of  
SANDCASTLE HOMES, Drainage Connection to  
NYSDOT System, River Road (Rte 980T) and Old  
Route 9W, Town of New Windsor, Orange County**

Dear Mr. Coppola:

The Department has reviewed the Stormwater Management Report you submitted for the above referenced project. Our design engineers had the following comments regarding the proposed connection.

1. The Summary Table is not clear as to the pre-existing and post-construction stormwater management volumes.
2. The final report should be stamped by a Professional Engineer.
3. An Inspection & Maintenance Schedule for the detention ponds is needed.

Please revise the drainage report, incorporating the comments above, and resubmit for approval. Once the Department has given final approval, the property owner may then proceed with the permitting process. If you have any questions, please feel free to call me. Thank you.

Sincerely,

Siby Mary Zachariah-Carbone  
Permit Engineer, Orange County East

Cc: Richard Gaupman, P.E., R.E., Res. 8-4  
Glenn Boucher, P.E., Permit Coordinator, R-8 Permits  
Myra Mason, Town of New Windsor Planning & Eng. Dept.  
file





RESULTS OF P.B. MEETING OF:

PROJECT: Sandcastle Homes - Subdivision P.B. # 05-23



**LEAD AGENCY:**

AUTHORIZE COORD. LETTER: Y\_\_\_\_\_N\_\_\_\_\_

TAKE LEAD AGENCY: Y N

**NEGATIVE DEC:**

M) ~~NS~~S) VOTE: A ✓ N —

CARRIED: Y N

M)\_\_\_\_S)\_\_\_\_ VOTE: A\_\_\_\_N\_\_\_\_

CARRIED: Y N

**PUBLIC HEARING:**                      **WAIVED:** ✓                      **CLOSED:** \_\_\_\_\_                      **FINAL:** \_\_\_\_\_

M) HY S) YS VOTE: A ☒ N ☐ SCHEDULE P.H.: Y ☐ N ☐

SEND TO O.C. PLANNING: Y                      RETURN TO WORK SHOP: Y    N

SEND TO DEPT. OF TRANS: Y\_\_\_ REFER TO Z.B.A.: M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

**APPROVAL:**

CONCEPTUAL: \_\_\_\_\_ PRELIMINARY: \_\_\_\_\_ COND. FINAL: \_\_\_\_\_ FINAL ✓

M) HV(S) NS VOTE: A ✓ N — APPROVED: \_\_\_\_\_

NEED NEW PLANS: Y N

↓ Subject  
Mark ? Dom  
ok

**CONDITIONS – NOTES:**

Five 7

MEETING DATE:



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

1 November 2005

SUBJECT: SANDCASTLE HOMES SUBDIVISION AND SITE PLANS  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
(NWPB REF. NOS. 05-23 & 05-24)

To all Involved Agencies:

The Town of New Windsor Planning Board has had placed before it applications for Subdivision and Site Plan approvals of the Sandcastle Homes Project, located off River Road and Old Rt. 9W within the Town. The project involves, in general, the subdivision of the 3.23 +/- Acre parcel into three commercial lots, and the development of three commercial site plans. It is the opinion of the Town of New Windsor Planning Board that the action is an Unlisted Action under SEQRA. This letter is written as a request for Lead Agency Coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA review process, sent to the Planning Board at the above address, attention of Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved agency desire the Lead Agency position; it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a written response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position. Thank you for your attention to this matter. Should you have any questions regarding this notice, please feel free to contact the undersigned at the above number or (845) 567-3100.

Very truly yours,

*Mark J. Edsall, P.E., P.P.*

Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

New York State Parks, Recreation and Historic Preservation  
NYS Department of Transportation, Poughkeepsie  
George J. Meyers, Town of New Windsor Supervisor (w/o encl)  
Town of New Windsor Town Clerk (w/o encl)  
Orange County Department of Planning  
Myra Mason, Planning Board Secretary  
Applicant (w/o encl)



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

1 November 2005

New York State Department of Transportation  
Permit Inspection Unit Office  
112 Dickson Street  
Newburgh, New York 12550

ATT: Siby Mary Zachariah-Carbone, Permit Engineer, Orange County East

SUBJECT: SANDCASTLE HOMES SUBDIVISION & SITE PLANS  
NEW WINDSOR PLANNING BOARD NO. 05-23 & 05-24

Dear Ms. Zachariah-Carbone:

The Town of New Windsor Planning Board has received an applications for a Commercial Subdivision and Site Plan approvals of a three lot subdivision and the development of three commercial buildings located on River Road and Old Route 9W within the Town. The Planning Board has determined that the applicant will be required to obtain a Highway Work Permit from your Department.

We are forwarding herewith a copies of the plans submitted with the applications for your review and comment. We request that you notify the Planning Board of any concerns regarding this application, which should be considered by the Board during their review of the project.

It is not the intent that these plans be considered the plans required for the Permit application, as these will be the responsibility of the applicant following site plan approval from the Town.

We look forward to your input regarding this application before the Board.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD

*Mark J. Edsall, P.E., P.P.*

Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW05-23/24-DOT ref 08-01-05

# ORANGE COUNTY DEPARTMENT OF PLANNING

124 Main Street  
Goshen, NY 10924-2124

## APPLICATION FOR MANDATORY COUNTY REVIEW OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 05-23 (Please include this number on any correspondence)

1. Municipality Town of New Windsor

Public Hearing Date: not set

City, Town or Village Board \_\_\_\_\_ Planning Board X Zoning Board \_\_\_\_\_

2. Owner: Name: Sandcastle Homes Inc.  
Address: P.O. Box 487 Cornwall-on-Hudson, NY 12520

3. Applicant \* Name: same  
Address: \_\_\_\_\_

**\*If applicant is owner, leave blank**

4. Location of Site: River Road and Old Rt. 9W  
(Street or highway, plus nearest intersection)

Tax Map Identification: Section: 9 Block: 1 Lot: 101

Present Zoning District: NC Size of Parcel: 3.23 Acres

5. Type of Review:

### \*\*Subdivision

Zone Change: From = \_\_\_\_\_ To: = \_\_\_\_\_

Zoning Amendment: To Section \_\_\_\_\_

\*\*Subdivision: Number of Lots/Units 3 Commercial Lots

\*\*\*Site Plan: Use \_\_\_\_\_

Date: 11-1-05

Signature & Title: \_\_\_\_\_

Mark J. Edsall, P.E.  
Mark J. Edsall, P.E.,   
Planning Board Engineer



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
4 BURNETT BOULEVARD  
POUGHKEEPSIE, NY 12603

WILLIAM D. FITZPATRICK, P.E.  
REGIONAL TRAFFIC ENGINEER  
(845) 575-6040

ROBERT A. DENNISON III, P.E.  
REGIONAL DIRECTOR

JOSEPH H. BOARDMAN  
COMMISSIONER

Richard A. Burns  
NYSDOT Permits  
112 Dickson Street  
Newburgh, NY 12550  
☎ (845) 565-9762

10 January, 2003

Post-It® Fax Note	7671	Date	1/10/03	# of pages	1
To	Anthony Coppola		From	Rich Burns	
Co./Dept.			Co.	DOT	
Phone #	561-3559		Phone #	565-9762	
Fax #	561-2051		Fax #	562-8592	

Mr. Mark J. Edsall, P.E., P.P.  
Town of New Windsor Planning Board Engineer  
555 Union Avenue  
New Windsor, NY 12553

Re: Ben Harris Office Building, River Road, T/ New Windsor

Dear Mr. Edsall,

NYSDOT has given conceptual approval for ROW access to the above referenced project.  
A Highway Work Permit may be issued pending local approval and submission of the ancillary paperwork. If I may be of further assistance, please advise.

Sincerely  
ORIGINAL SIGNED BY  
RICHARD A. BURNS

Richard A. Burns, Permits

cc: Glenn Boucher, Traffic  
→ Anthony Coppola, Architect

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 07/22/2005

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 5-23

NAME: SANDCASTLE HOMES - RIVER ROAD - SUBDIVISION

APPLICANT: SANDCASTLE HOMES (CARDOROPOLI)

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
07/20/2005	REC. CK. #7162	PAID		500.00	
			-----+	-----	-----
		TOTAL:	0.00	500.00	-500.00

*Hein*  
*7/25/05*



July 27, 2005

PROJECT: Sandcastle Homes Sub.

P.B. # 05-23



**NEGATIVE DEC:**

AUTHORIZE COORD. LETTER: Y\_\_\_\_\_N\_\_\_\_\_

M) S) VOTE: A N

TAKE LEAD AGENCY: Y ☒ N ☐

CARRIED: Y N

M) A S) S VOTE: A 5 N 0

CARRIED: Y ☒ N ☐

**PUBLIC HEARING:**                      **WAIVED:** ☒                      **CLOSED:**

M) A S) S VOTE: A 5 N 0 SCHEDULE P.H.: Y      N ☒

SEND TO O.C. PLANNING: Y ✓

SEND TO DEPT. OF TRANSPORTATION: Y ✓

REFER TO Z.B.A.: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

RETURN TO WORK SHOP: Y N

**APPROVAL:**

M) .. S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_ APPROVED: \_\_\_\_\_

NEED NEW PLANS: Y N

**CONDITIONS – NOTES:**

[illegible]

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#681-2005**

07/25/2005

Sandcastle Homed *P.B. 05-23*

Received \$ 150.00 for Planning Board Fees, on 07/25/2005. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk





**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ **Main Office**

33 Airport Center Drive

Suite #202

New Windsor, New York 12553

(845) 587-3100

e-mail: mhany@mhepc.com

☐ **Regional Office**

507 Broad Street

Millford, Pennsylvania 18337

(570) 296-2765

e-mail: mhpc@mhepc.com

**Writer's E-mail Address:**

mje@mhepc.com

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

**TOWN / VILLAGE OF:**

*New Windsor*

**P/B APP. NO.:**

**WORK SESSION DATE:**

*21 June 06*

**PROJECT: NEW**

**OLD**

**REAPPEARANCE AT W/S REQUESTED:**

**RESUB. REQ'D:**

**PROJECT NAME:**

*Cardarogoli Sub*

**REPRESENTATIVES PRESENT:**

**MUNICIPAL REPS PRESENT:**

**BLDG INSP.**

**ENGINEER**

**P/B CHMN**

*X*

**FIRE INSP.**

**PLANNER**

**OTHER**

*BB*

**ITEMS DISCUSSED:**

*Need to show  
cross easement  
On sub plan  
very old.*

*ref any Paul  
agents.*

**STND CHECKLIST:**

**DRAINAGE**

**DUMPSTER**

**SCREENING**

**LIGHTING**

(Streetlights)

**LANDSCAPING**

**BLACKTOP**

**ROADWAYS**

**APPROVAL BOX**

**PROJECT STATUS:**

**ZBA Referral:**

**Y N**

**Ready For Meeting**

**Y N**

**Recommended Mtg Date**

**PROJECT  
TYPE**

**SITE PLAN**

**SPEC PERMIT**

**L I CHG.**

**SUBDIVISION**

**OTHER**

P.B.# 05-24  
05-23



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
112 DICKSON STREET  
NEWBURGH, NY 12550-5324  
(845) 562-8368  
<http://www.dot.state.ny.us>

ROBERT A. DENNISON, III, P. E.  
REGIONAL DIRECTOR

THOMAS J. MADISON, JR.  
COMMISSIONER

August 25, 2006

Anthony J. Coppola, R.A.  
Coppola Associates  
3 Washington Center, 2<sup>nd</sup> Floor  
Newburgh, NY 12550

**RE: 3-LOT COMMERCIAL SUBDIVISION for Property of  
SANDCASTLE HOMES, Installation of Entrances on  
River Road (Route 980T) and Old Route 9W,  
Town of New Windsor, Orange County**

Dear Mr. Coppola:

The Department is in receipt of your preliminary plans for the above referenced project. We have reviewed it and conceptually, it is acceptable. We have the following comments regarding the proposed entrances.

You have proposed two full movement entrances; one on Old Route 9W and the other on River Road. The Department prefers only one full movement access for the entire property. Since you have presented the difficulty in providing one access due to the natural elevation differences between the lots, the Department will allow two separate accesses.

The Department will permit the full movement access proposed on Old Route 9W. However, the full movement access proposed on River Road will not be permitted due to the limited sight distance to the north. The Department will only allow a rights-in/rights-out access with a 10-foot wide full-depth shoulder on either side of the entrance at a minimum length of 75 feet each.

Enclosed please find the plan with our comments red-lined. Please make the necessary changes using NYSDOT's current standards and specifications and resubmit for our final approval prior to the permitting process. If you have any questions, please feel free to call me. Thank you.

Sincerely,

Siby Mary Zaenarah-Carbone  
Permit Engineer, Orange County East

Encl.

Cc: Richard Gaupman, P.E., R.E., Res. 8-4  
Glenn Boucher, P.E., Permit Coordinator, R-8 Permits  
Myra Mason, Town of New Windsor Planning & Eng. Dept.  
file

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision X Lot Line Change \_\_\_\_\_ Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 9 Block 1 Lot 101

BUILDING DEPARTMENT REFERRAL NUMBER \_\_\_\_\_

1. Name of Project Sandcastle Homes - River Road

2. Owner of Record Sandcastle Homes Phone (845) 565-6690

Address: c/o Nick Cardaropoli, Jr., P.O. Box 487, Cornwall-on-Hudson, New York 12520  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Sandcastle Homes Phone (845) 565-6690

Address: c/o Nick Cardaropoli, Jr., P.O. Box 487, Cornwall-on-Hudson, New York 12520  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Pl Eustance & Horowitz, P.C. Phone (845) 294-5741

Address: P.O. Box 42, Circleville, New York 10919  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

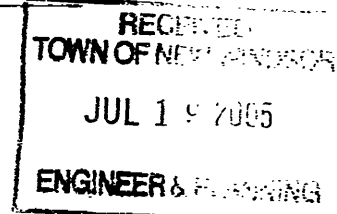
Anthony J. Coppola, R.A. (845) 561-3559  
(Name) (Phone)

7. Project Location: On the Northerly side of between NYS Highway 9W and River Road feet  
(Direction) (Street) (No.)  
\_\_\_\_\_ of \_\_\_\_\_  
(Direction) (Street)

8. Project Data: Acreage 3.23 +/- Zone NC School Dist. Newburgh Enlarged

PAGE 1 OF 2

(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)



05-23

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Description of Project: (Use, Size, Number of Lots, etc.) We are proposing a 3 lot subdivison,  
each having a commercial office building.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

24<sup>th</sup> DAY OF June 2005

Gloria J. Brentnall  
NOTARY PUBLIC

Nick CARDAROLI Jr.  
APPLICANT'S SIGNATURE  
Please Print Applicant's Name as Signed

\*\*\*\*\*  
TOWN USE ONLY  
TOWN OF NEW WINDSOR

JUL 19 2005  
DATE APPLICATION RECEIVED

05-23  
APPLICATION NUMBER

ENGINEER & PLANNING  
GLORIA J. BRENTNALL  
Notary Public, State of New York  
No. 01BR6039818  
Qualified in Orange County  
Commission Expires April 10, 2006

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

Sandcastle Homes by Nick Cardaropoli, Jr.

(OWNER)

at Cornwall-on-Hudson in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec.        Block        Lot       )  
designation number (Sec. 9 Block 1 Lot 101) which is the premises described in  
the foregoing application and that he authorizes:

Anthony J. Coppola, R.A. of Coppola Associates

(Applicant Name & Address, if different from owner)

3 Washington Center, Maple Building, Second Floor, Newburgh, New York 12550

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 6/24/05

C. Cardaropoli  
Witness' Signature

N. Cardaropoli  
Owner's Signature


Anthony J. Coppola  
Applicant's Signature if different than owner

Anthony J. Coppola  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO  
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

**TOWN OF NEW WINDSOR PLANNING BOARD**  
**SUBDIVISION/LOT LINE CHANGE CHECKLIST**

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. ✓ Name and address of Applicant.
- \* 2. ✓ Name and address of Owner.
3. ✓ Subdivision name and location
4. ✓ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**  
  
**SAMPLE:** 
5. ✓ Tax Map Data (Section, Block & Lot).
6. ✓ Location Map at a scale of 1" = 2,000 ft.
7. ✓ Zoning table showing what is required in the particular zone and what applicant is proposing.
8. ✓ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
9. ✓ Date of plat preparation and/or date of any plat revisions.
10. ✓ Scale the plat is drawn to and North arrow.
11. ✓ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
12. ✓ Surveyor's certificate.
13. ✓ Surveyor's seal and signature.
14. ✓ Name of adjoining owners.
15. ✓ Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
- \* 16. N/A Flood land boundaries.
17. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.

18. ✓ Final notes and bounds.
19. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. ✓ Include existing or proposed easements.
21. N/A Right-of-way widths.
22. N/A Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. ✓ Lot area (in square feet for each lot less than 2 acres).
24. ✓ Number the lots including residual lot.
25. ✓ Show any existing waterways.
- \*26. N/A A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. N/A Applicable note pertaining to owner's review and concurrence with plat together with owners signature.
28. ✓ Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. N/A Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. N/A Provide A septic system design notes as required by the Town of New Windsor.
32. N/A Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33. N/A Indicate percentage and direction of grade.
34. N/A Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35. N/A Indicate location of street or area lighting (if required).

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A

Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

37. N/A

A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:  6/27/2005  
Licensed Professional Date

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**PLEASE NOTE:**

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.**



REC'D 6/27/05  
"X"

## ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance ☒

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

This property is not in  
a flood zone.

  
\_\_\_\_\_  
Anthony J. Coppola, R.A.

Dated: June 27, 2005

PROJECT I.D. NUMBER

817.20

SEQR

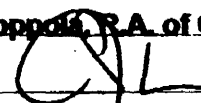
Appendix C

State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>Nick Cardaropoli, Jr.</b>	2. PROJECT NAME <b>Sandcastle Homes - River Road</b>
3. PROJECT LOCATION: Municipality <b>Town of New Windsor</b> County <b>Orange</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>On the Northerly side between NYS Highway 9W and River Road, Town of New Windsor, State of New York.</b>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>We are proposing a 3 lot subdivision, each having a commercial office building.</b>	
7. AMOUNT OF LAND AFFECTED: Initially <b>3.23 +/-</b> acres Ultimately <b>3.23 +/-</b> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <b>Anthony J. Coppola, R.A. of Coppola Associates</b> Date: <b>June 27, 2006</b>	
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR. PART 617.4?</b> If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR. PART 617.6?</b> If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten. If legible)</b> C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div> C2. Aesthetic, agricultural, archeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div> C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div> C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly.  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div> C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div> C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div> C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">No</div>
<b>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration. <input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from responsible officer)
_____ Date	



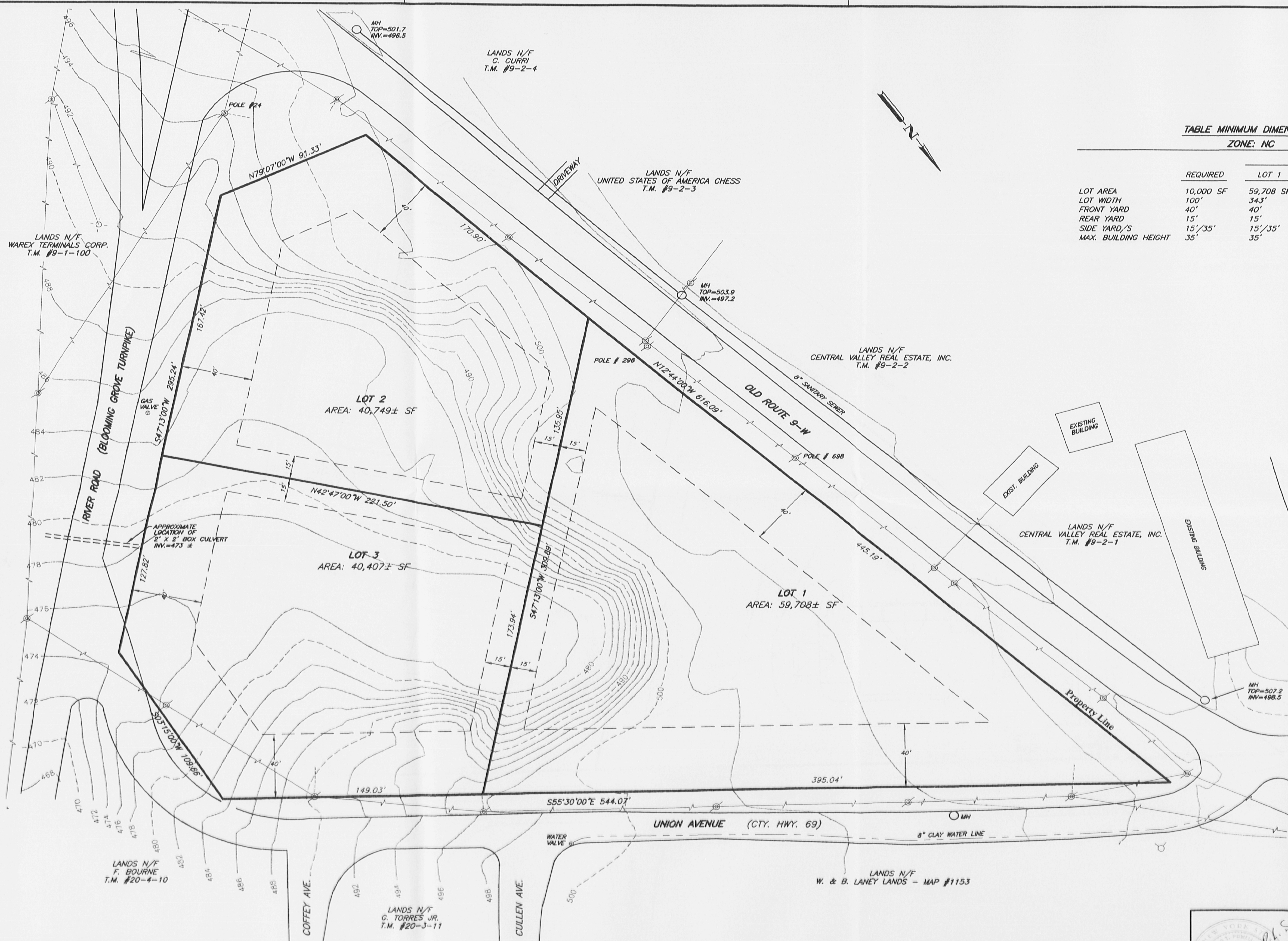
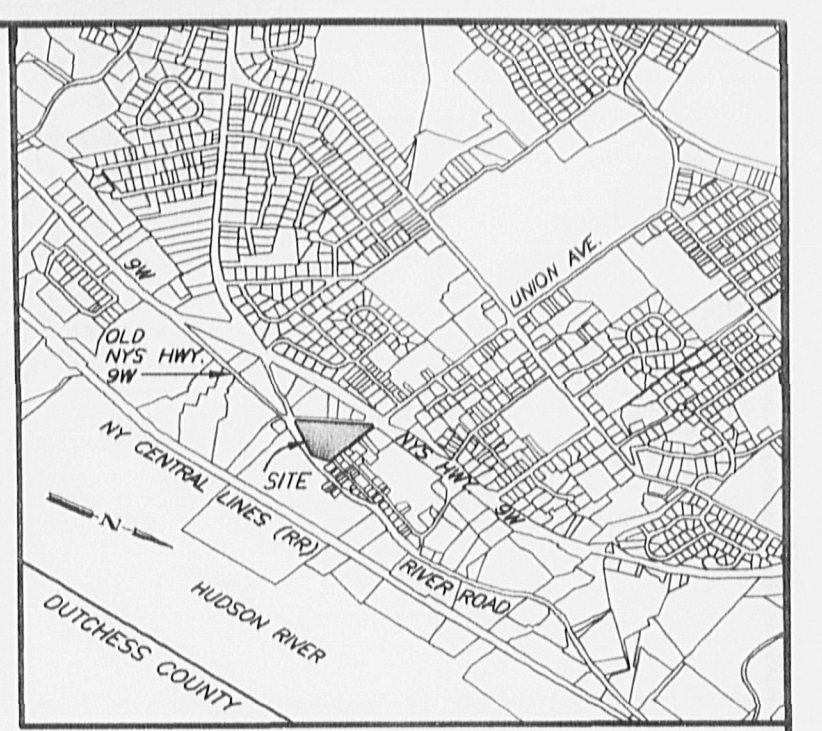


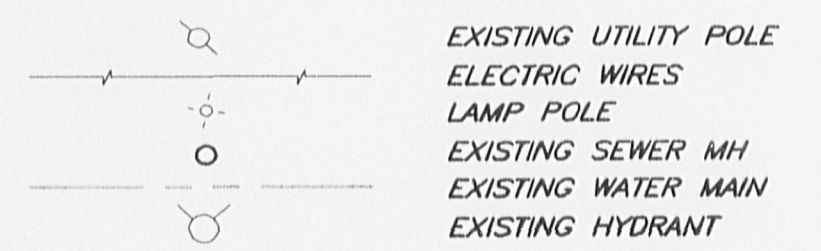
TABLE MINIMUM DIMENSIONS

	REQUIRED	PROPOSED		
		LOT 1	LOT 2	LOT 3
LOT AREA	10,000 SF	59,708 SF	40,749 SF	40,407 SF
LOT WIDTH	100'	343'	197'	169'
FRONT YARD	40'	40'	40'	40'
REAR YARD	15'	15'	15'	15'
SIDE YARD/S	15'/35'	15'/35'	15'/35'	15'/35'
MAX. BUILDING HEIGHT	35'	35'	35'	35'



LOCATION PLAN

LEGEND



CERTIFICATION:

I HEREBY CERTIFY THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY DONE IN MARCH AND APRIL, 1995.

BY: *James Powell P.L.S.*

LEWIS T. POWELL P.L.S.  
N.Y.S. LICENSE #47418

NOTES:

1. T.M. #9-1-101
2. ZONE: NC
3. TOTAL AREA OF PARCEL: 3.23± ACRES.

RECORD OWNER

NICHOLAS J. CARDAROPOLI  
PO BOX 487  
CORNWALL ON HUDSON, NY 12520

REVISED	NATURE OF REVISION	CK	REVISED	NATURE OF REVISION	CK
04/12/07	TAKE OFF EASEMENT & MISC.				
05/24/07	ADD SHEET				
07/02/07	SET				
11/27/07	RECORD OWNER ADDED				

3 LOT SUBDIVISION PLAN

FOR

SANDCASTLE HOMES

TOWN OF NEW WINDSOR

ORANGE COUNTY, N.Y.

SCALE: 1"= 30'

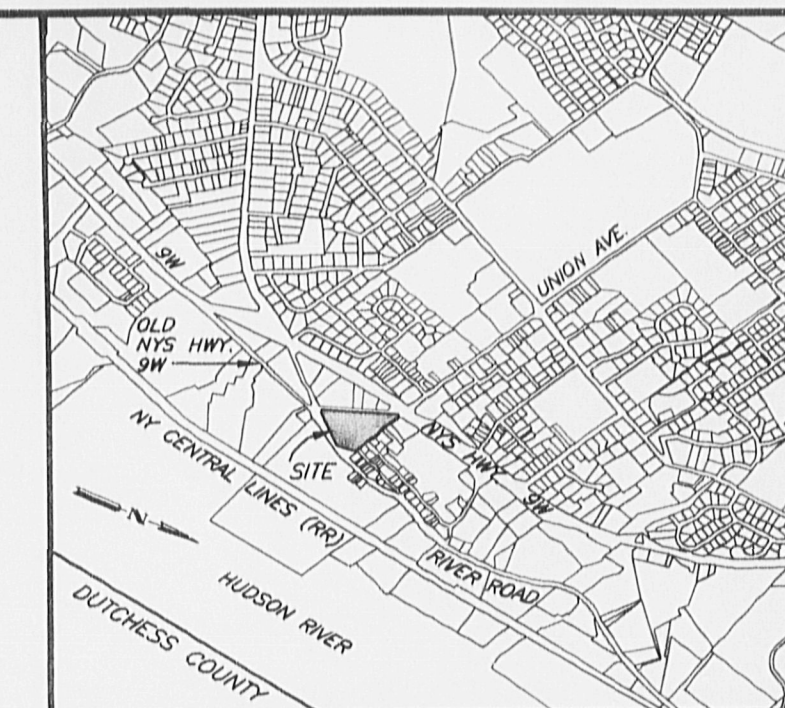
MAY 26, 2005

SHEET 1 OF 2

DRAWN BY: <i>PM</i>	EUSTANCE & HOROWITZ, P.C.	DWG. # C-5525-C-1
CHKD BY:	P. O. BOX 42 CIRCLEVILLE, NEW YORK 10919	DISK # 050023

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN BEARING A LICENSED PROFESSIONAL'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW  
ONLY COPIES FROM THE ORIGINAL OF THIS PLAN MARKED WITH AN ORIGINAL PROFESSIONAL'S SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.





LOCATION PLAN

EASEMENTS

- LOT 1:  
- 20' WATER EASEMENT IN FAVOR OF THE TOWN OF NEW WINDSOR  
- 20' SEWER EASEMENT IN FAVOR OF LOT 3  
- 15' DRAINAGE EASEMENT IN FAVOR OF LOT 1  
- INGRESS AND EGRESS EASEMENT IN FAVOR OF LOT 3
- LOT 2:  
- 15' DRAINAGE EASEMENT IN FAVOR OF LOT 1  
- 20' DRAINAGE EASEMENT (INCLUDING POND AREA) IN FAVOR OF LOT 2
- LOT 3:  
- 15' DRAINAGE EASEMENT IN FAVOR OF LOT 1  
- 20' DRAINAGE EASEMENT (INCLUDING POND AREA) IN FAVOR OF LOT 2

AREA: SF.

- 2,010 S.F.  
- 2,835 S.F.  
- 3,323 S.F.  
- 13,268 S.F.  
- 4,320 S.F.  
- 12,046 S.F.

LEGEND

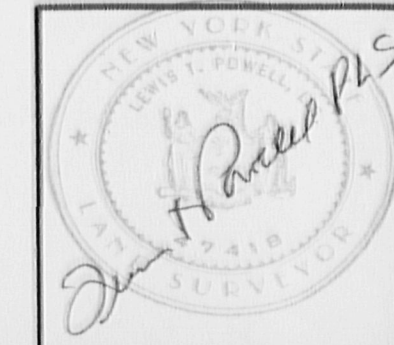
- EXISTING UTILITY POLE  
ELECTRIC WIRES  
LAMP POLE  
EXISTING SEWER MH  
EXISTING WATER MAIN  
EXISTING HYDRANT

NOTES:

1. T.M. #9-1-101  
2. ZONE: NC  
3. TOTAL AREA OF PARCEL: 3.23± ACRES.

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REVISED 7/02/07 11/27/07	NATURE OF REVISION R.O.W. EASEMENT REVISED & MISC. SHADING REMOVED	CR	REVISED	NATURE OF REVISION	CR
APPROVAL GRANTED BY TOWN OF NEW WINDSOR					
NOV 28 2007					
By: <i>[Signature]</i> Town Engineer, Secretary					
<p align="center"><b>EASEMENT PLAN</b> FOR <b>SANDCASTLE HOMES</b></p>					
TOWN OF NEW WINDSOR			ORANGE COUNTY, N.Y.		
SCALE: 1"= 30'			MAY 24, 2007		
SHEET 2 OF 2					
DRAWN BY: <i>RL</i>		EUSTANCE & HOROWITZ, P.C.		DWG. # 0550507	
CHKD BY:		P. O. BOX 42 CIRCLEVILLE, NEW YORK 10919		DISK # 050023	